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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COUNCIL 16 NORTHERN
CALIFORNIA HEALTH AND WELFARE
TRUST FUND, et al.,

Case No.: C09-2101 SI

[PROPOSED] JUDGMENT

Plaintiffs,

v.

S & S FLOORING, INC.,

Defendant.

Defendant S & S FLOORING, INC., having failed to plead or otherwise defend in this action and its default having been entered:

Now, upon application of the Plaintiffs and upon declaration that Defendant has failed and refused to pay employee contributions found due on audit as well as audit costs; that Defendant has been defaulted for failure to appear; and that Defendant is neither an infant nor an incompetent person, nor in the military service of the United States, it is hereby

ORDERED, ADJUDGED AND DECREED that Defendant S & S FLOORING, INC., shall promptly pay to Plaintiffs all sums due and owing under the terms of the Collective Bargaining Agreement and Trust Agreements as amended and incorporated therein, according to proof.

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[PROPOSED] JUDGMENT
Case No.: C09-2101 SI

1 It is further Ordered that Plaintiffs recover from Defendant their attorneys' fees, together
 2 with costs, audit costs, and all sums found on audit to be due and owing under the terms of the
 3 Collective Bargaining Agreement and Trust Agreements as amended and incorporated therein,
 4 according to proof:

5 10/1/02-9/30/06 Audit	Contribution Underpayments	\$41,858.41	
6	Liquidated Damages Fees	\$4,185.86	
7	Interest	\$7,160.95	
8	Audit Fees	\$4,241.00	
9			\$57,446.22
10	Attorneys' Fees (through 10/16/09)		\$2,719.00
11	Costs (through 7/9/09)		\$646.59
12	TOTAL		\$60,811.81

13 IT IS SO ORDERED, that judgment be entered totaling **\$60,811.81**. Post-judgment
 14 interest shall accrue at the rate of 5% per annum on contribution underpayments and liquidated
 15 damages (\$46,044.27), and at the legal rate on the other amounts due (\$14,767.54), from date of
 Judgment to satisfaction of Judgment. The Court shall retain jurisdiction over this matter to
 enforce the terms of this Judgment.

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 17 Dated: _____



18 THE HONORABLE SUSAN ILLSTON
 19 UNITED STATES DISTRICT COURT JUDGE

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